

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kensaku Abe et al.  
Serial No.: 09/529,269  
Filed : August 12, 1999  
For : ACOUSTIC APPARATUS AND HEADPHONE  
Attention : Customer Service Center  
Initial Patent Examination Division

I hereby certify that this paper is being  
deposited this date with the U.S. Postal  
Service in first class mail addressed to  
Assistant Commissioner for Patents,  
Washington, D.C. 20231.



Jay H. Maioli  
Reg.No. 27,213

Date  
October 5, 2000

10/13/2000 LLANDGRA 00000008 09529269

01 FC:154  
02 FC:118

130.00 OP  
1390.00 OP

October 5, 2000  
1185 Avenue of the Americas  
New York, NY 10036  
(212) 278-0400

RESPONSE TO NOTIFICATION TO FILE MISSING PARTS  
OF APPLICATION-FILING DATE GRANTED

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Parts of  
Application-Filing Date Granted mailed May 25, 2000,  
Applicants hereby submit a newly executed Declaration that  
identifies the above application by serial number and filing  
date.

The required surcharge is also submitted herewith  
along with a copy of the subject Notice.

Accordingly, it is respectfully submitted that all  
elements of the application have now been filed and an early  
and favorable examination on the merits is earnestly  
solicited.

Respectfully submitted,

COOPER & DUNHAM LLP

A handwritten signature in black ink, appearing to read "Jay H. Maioli". The signature is written in a cursive, flowing style.

Jay H. Maioli  
Reg. No. 27,213

File: 6640/59442  
JHM:jg  
Enc.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO. 09/529269	FIRST NAMED APPLICANT ABE	ATTY. DOCKET NO. K 6640/59442
-----------------------------------	------------------------------	----------------------------------

JAY H MAIOLI  
COOPER & DUNHAM  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036

INTERNATIONAL APPLICATION NO. PCT/JP99/04377	
I.A. FILING DATE 12 AUG 99	PRIORITY DATE 13 AUG 98
DATE MAILED 25 MAY 2000	

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☒ a Designated Office (37 CFR 1.494),
  - ☐ an Elected Office (37 CFR 1.495):
  - ☒ U.S. Basic National Fee.
  - ☒ Copy of the international application in:
    - ☒ a non-English language.
    - ☐ English.
  - ☒ Translation of the international application into English.
  - ☐ Oath or Declaration of inventor(s) for DO/EO/US.
  - ☐ Copy of Article 19 amendments.
  - ☐ Translation of Article 19 amendments into English.
  - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
  - ☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_
  - ☒ Information Disclosure Statement(s) filed 10 APR 2000 and \_\_\_\_\_
  - ☐ Assignment document.
  - ☐ Power of Attorney and/or Change of Address.
  - ☐ Substitute specification filed \_\_\_\_\_
  - ☐ Verified Statement Claiming Small Entity Status.
  - ☐ Priority Document.
  - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
  - ☐ Other:
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
    - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
- 5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

- Enclosed:
- ☐ PCT/DO/EO/917
  - ☐ PTO-875
  - ☐ Notice of Defective Translation
- FORM PCT/DO/EO/905 (December 1997)

Winston M. Alvarado

BEST AVAILABLE COPY